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11
12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA

14 Xiao Ye Bai,

15 Plaintiff,

16 v.

17 Calvin Johnson, *et al.*,

18 Defendants.

Case No. 2:20-cv-02192-RFB-EJY

**Second Stipulation for Revised
Scheduling Order**

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21 Pursuant to FRCP 16(b)(4) and Local Rule 26-2, the parties stipulate and agree
22 to modify/extend the Scheduling Order (ECF No. 170). This would be the second
23 stipulation for a revised scheduling order. This stipulated proposed order is made in
24 good faith and is supported by good cause.
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2 **STATEMENT OF FACTS IN SUPPORT OF STIPULATION**

3 Following an April 22, 2024 status hearing, this court directed that a third
4 amended complaint and a joint proposed scheduling order be submitted within 60
5 days. ECF No. 150. The parties submitted a stipulated order adopted by the Court
6 (ECF No. 151), under which, *inter alia*, discovery would commence with the filing of
7 Defendants' responsive pleading on August 20, 2024 and continue until February 18,
8 2025.

9 Plaintiffs served a request for the production of documents on Defendants on
10 September 6, 2024, and later provided initial disclosures. A dispute thereafter arose
11 over whether a stay should be granted pending the resolution of a motion to dismiss,
12 as a result of which Defendants initially declined to provide documents. See generally
13 ECF No. 163. After the Court denied Defendants' motion to stay, Defendants
14 provided documents on November 22, 2024 pursuant to a new deadline set by the
15 Court. ECF No. 164 at 3. Counsel for Mr. Bai has since been organizing and
16 reviewing these documents, which total more than a thousand pages, to determine
17 what other discovery will need to be pursued.

18 Throughout much of the time since the filing of the initial revised scheduling
19 order in December, Plaintiff's counsel and staff were occupied with a trial in *Johnson*
20 *v. Barrett*, 2:17-cr-2304-RFB-BNW, which was expected to commence in January at
21 the time of the prior stipulation but which had to be continued until late February.
22 The Court also held oral argument on a number of pending motions in this case on
23 February 19, and noted that it would be filing an order on Defendants' Motion to
24 Dismiss.

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1 For these reasons additional time will be needed to complete discovery in this
2 case and good cause exists for an extension of the current deadlines. The parties
3 request the existing deadlines be extended by thirty (30) days as follows:

- 4 • The parties may then engage in discovery until **June 18, 2025**;
- 5 • Expert disclosures must be made on or before **April 17, 2025**, and
6 disclosures of rebuttal experts must be made on or before **May 19 2025**.
- 7 • Dispositive Motions: that they be filed and served no later than **July 18,**
8 **2025**;
- 9 • Joint Pretrial Order: that it be due on **August 18, 2025**. If dispositive
10 motions are filed, the deadline for filing the joint pretrial order will be
11 suspended until 30 days after decision on the dispositive motions or
12 further court order.

CONCLUSION

Based on the foregoing and for good cause appearing, the Parties respectfully request that the Court approve their Stipulation and alter the discovery deadlines as set forth above.

Dated March 17, 2025

Aaron D. Ford
Attorney General

Rene L. Valladares
Federal Public Defender

/s/ Leo T. Hendges

/s/ Ryan Norwood

Leo T. Hendges
Senior Deputy Attorney General

Ryan Norwood
Assistant Federal Public Defender

IT IS SO ORDERED:


U.S. MAGISTRATE JUDGE

Dated: March 18, 2025